

Application No.: 10/757,689

5

Docket No.: 509982003101

REMARKS

In the Office Action mailed on July 25, 2005, the Examiner rejected claims 33-45 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,743,646. A terminal disclaimer in compliance with 37 CFR 1.321(c) is being filed herewith this Amendment.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 509982003101. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 25, 2005

Respectfully submitted,

By: 
Peter J. Yim

Registration No.: 44,417
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
(415) 268-6373

sf-1976150